

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

STATE OF ILLINOIS, by its Attorney General)	
LISA MADIGAN,)	
)	
Plaintiff,)	
)	
v.)	
)	
DAICEL CHEMICAL INDUSTRIES, LTD.,)	
EASTMAN CHEMICAL COMPANY,)	No. 02CH19575
HOECHST AKTIENGESELLSCHAFT,)	
NUTRINOVA NUTRITION SPECIALTIES)	<i>Parens Patriae</i> /Class Action
& FOOD INGREDIENTS, GMBH,)	
HOECHST CELANESE CORPORATION, a/k/a)	
CNA HOLDINGS, INC., NUTRINOVA, INC.,)	
CELANESE AG, NIPPON GOHSEI, a/k/a)	
NIPPON SYNTHETIC CHEMICAL INDUSTRY)	
CO., LTD., and UENO FINE CHEMICALS)	
INDUSTRY, LTD.,)	
)	
Defendants.)	

REVISED MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Plaintiff, State of Illinois, by its Attorney General Lisa Madigan, hereby withdraws its prior motion for Leave to File First Amended Complaint, and in its stead moves the Court for leave to file the attached revised First Amended Complaint. In support of its motion, plaintiff states as follows:

1. On September 24, 2003, the Court granted the defendants' joint motions to dismiss the *parens patriae* claims of the State. In its order the Court granted defendants leave to amend its complaint within the next thirty days.

2. On October 17, 2003, the State filed its motion to reconsider the Court's September 24, 2003 ruling.

3. At a hearing on November 4, 2003, the Court noted that it wished to have an amended complaint on file to expedite the procedures in this case.

4. To address those concerns, the State on December 2, 2003 moved to amend its complaint.

5. This original amended complaint addressed the concern over the nature of the claims being brought by identifying in three separate counts the claims brought on behalf of the State and its political subdivisions, the claims brought *parens patriae* on behalf of the indirect purchasing citizens of Illinois, and the claims brought by the State as a representative of the class of indirect purchasers in Illinois.

6. The original amended complaint also amends the prior pleadings to reflect the removal of Aventis as a defendant and the actual proof in the State's pleadings on the issues of jurisdiction and fraudulent concealment.

7. In the intervening time, the State has reached agreements to settle this case with each of the defendants. As a part of the compromises reflected in those agreements, the State is revising its amended complaint to seek to represent only itself, its political subdivisions and its natural citizens. The State asks that this Court grant it leave to file this revised amended complaint if, and at such time, as the Court grants final approval to these proposed settlements.

8. The revised amended complaint makes no other substantive changes to the allegations of the original complaint beyond those described above.

LISA MADIGAN
Attorney General of Illinois
Atty No. 99000

Dated: May 20, 2004

BLAKE L. HARROP
LIVIA S. WEST
Assistant Attorneys General
Antitrust Bureau
100 W. Randolph, 13th Floor
Chicago, Illinois 60601
(312) 814-1004

CERTIFICATE OF SERVICE

_____ The undersigned, being duly sworn upon oath, deposes and states that a copy of the foregoing was served upon counsel on the attached list, at the listed addresses, by first class mail, postage prepaid, on the 20th day of May, 2004.
